

# State of South Dakota

EIGHTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2011

744S0712

## HOUSE BILL NO. 1256

Introduced by: The Committee on Taxation

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the sale of new or  
2 used vehicles and the sale of certain emergency vehicles.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 32-6B-4 be amended to read as follows:

5 32-6B-4. No person may engage in the business, either exclusively or in addition to any  
6 other occupation, of selling, ~~or may offer~~ offering to sell, ~~display, or advertise the sale of or~~  
7 displaying new or used vehicles, without a license as provided in § 32-6B-12. A violation of this  
8 section is a Class 2 misdemeanor.

9 The term, offering to sell, as used in this section, does not mean traditional advertising.  
10 However, the term includes the physical presence in this state of a new or used vehicle offered  
11 for sale by a person not exempt pursuant to the provisions of § 32-6B-5. For an emergency  
12 vehicle dealer, as defined by § 32-6B-1, the term includes the submission of a bid proposal for  
13 the sale of a vehicle if the bid proposal is offered in response to a bid request originating in this  
14 state.

